

In compliance with 37 C.F.R. 1.16(e), enclosed is a check in the amount of \$170.00 to cover the required surcharge for late filing of the Declaration (\$130.00) and a check for \$40.00 for the filing of the Assignment. Please charge any additional fees, or credit any overpayment in fees, to Deposit Account No. 50-0320.

**AMENDMENT**

It is respectfully requested that the application be amended, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as follows:

**IN THE SPECIFICATION:**

Page 7, line 9, please rewrite the paragraph thereat as follows:

The promoter (hereinafter also referred to as IRFE promoter) for inducible high-level mammalian gene expression has the composition for Figure 1, wherein

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**MPSV-E** means MPSV enhancer repeats, e.g. from pMBC-1NheI-XhoI, of the sequence:

GCTAGCTTAAGTAACGCCATTTTGCAAGGCATGGGAAAAATACATAACTGAGAATAGAGAAG  
TTCAGATCAAGGTCAGGAACAGAGAAACAGGAGAATATGGGCCAAACAGGATATCTGTGGTA  
AGCAGTTCCTGCCCCGCTCAGGGCCAAGAACAGTTGGAACAGGAGAATTGGGCCAAACAGGA  
TATCTGTGGTAAGCAGTTCCTGCCCCGCTCAGGGCCAAGAACAGATGGTCCCCAGATGCGGT  
CCCGCCCTCAGCAGTTTCTAGA, (SEQ ID NO: 1)

or isofunctional (i.e. having the same biological activity or function) variants thereof obtained by substitution, insertion or deletion of one or more nucleotides,

**IRF-1 binding sites** means the sequence:

GATCCCTTCTCGGGAAATGGAAACTGAAAATCAGATCCCTTCTCGGGAAATGGAAACTGAAA  
ATCAGATC, (SEQ ID NO: 2)

or isofunctional variants thereof obtained by substitution, insertion or deletion of one or more nucleotides,

and CMV means the CMV minimal promoter, e.g. from the plasmid pGL2 (Promega, Madison, WI):

ad  
(cont'd)  
TGGCGTGTACGGTGGGAGGCCTATATAAGCAGAGCTCGTTTAGTGAACCGTCAA  
ACCGTCAAACCGCGGAAGCT, (SEQ ID NO: 3)

or isofunctional variants thereof obtained by substitution, insertion or deletion of one or more nucleotides.

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Immediately after page 21 and before the first page of claims (page 22), please insert the enclosed pages identified as --Sequence Listing--.